

REMARKS

At the time the Office Action issued, claims 1-14 were pending. Claim 8 has been amended based on page 7 lines 14-19 of the specification.

Rejections Under 35 U.S.C. §103

A. Regarding Claims 1-5, and 7

In Paragraphs 4-7 of the Office Action, Examiner rejects claims 1-5 and 7 under 35 U.S.C. §103(a) as being unpatentable over Snider in view of Guerreri. Examiner has failed to provide a *prima facie* basis for rejection because there is no suggestion to combine the references cited. Examiner asserts that “[i]t would have been obvious to one of ordinary skill in the art at the time the invention was made to employ Guerreri’s apparatus in order to achieve the benefits of a wireless system as well (i.e. no cost for wires, no management of wires, portability, etc.) as the desired effect of producing a blasting system, which is comprised of a plurality of detonator assemblies that are individually detonated by a wireless remote command source.” Examiner further states that Guerreri and Snider are analogous art because they both deal with detonation of explosives. This is not a sufficient suggestion to combine the references.

Snider and Guerreri are in fact nonanalogous art. Analogous art is art that is either in the field of technology of the claimed invention or deals with the same problem solved by the claimed invention. *In re Wood*, 559 F.2d 1032, 202 USPQ 171 (CCPA 1979). Snider relates to “a process or apparatus for establishing communication through the wall of a wellbore tubular. (see column 1, lines 6-8). Guerreri relates to “detonation of explosive charges using electrical detonators in environments *having high levels of extraneous electricity*. (see column 1, lines 9-13). More specifically, Guerreri relates to the detonation of explosives in hostage-taking situations in urban or highly concentrated areas (see column 1, lines 15-61). A wellbore tubular does not have high levels of extraneous electricity especially in comparison to the highly populated urban area described by Guerreri. Thus, Snider and Guerreri are neither in the same field of technology

nor do they solve the same problem. One skilled in the art of establishing communication through the wall of a wellbore tubular would not look to combine elements of Snider with elements of Guerreri, a technology in the field of detonation in environments having high levels of extraneous electricity.

Even if there were a suggestion to combine the references, Examiner also fails to present a *prima facie* showing of obviousness because not all of the limitations of claim 1 are disclosed. Examiner asserts that Guerreri teaches "an electric blasting cap (104) with an explosive bridge wire and an energy storage and triggering means (110)." Guerreri does not disclose an explosive bridge wire. The firing mechanism in Guerreri is a capacitor discharge-blasting machine. Guerreri explains that "[s]uch devices are well known and comprise a capacitor which stores a quantity of electricity. The capacitor is discharged into the firing circuit upon activation of a firing switch causing an electric blasting cap to detonate the explosive charge." (see column 6, lines 57-63). Upon application of power, the explosive bridge wire of claim 1 will flash vaporize and detonate the explosive charge. (see page 10, lines 19-21). Nowhere does Guerreri teach using a bridge wire for detonation. This rejection is therefore respectfully traversed and withdrawal thereof is respectfully requested.

B. Regarding Claim 6

In Paragraphs 8-10 of the Office Action, Examiner rejects claim 6 under 35 U.S.C. §103(a) as being unpatentable over Snider in view of Guerreri and further in view of Neyer. For the reasons presented in section A of this Response, Snider and Guerreri are not analogous art; therefore, there is no suggestion to combine the references and a *prima facie* showing of obviousness is not established. This rejection is therefore respectfully traversed and withdrawal thereof is respectfully requested.

C. Regarding Claims 8-12, and 14

In Paragraphs 11-14 of the Office Action, Examiner rejects claims 8-12 and 14 under 35 U.S.C. §103 as being unpatentable over Snider in view of Abouav

and further in view of Guerreri. For the reasons presented in section A of this Response, Snider and Guerreri are not analogous art; therefore, there is no suggestion to combine the references and a prima facie showing of obviousness is not established. Even if there were a suggestion to combine the references, Examiner also fails to present a prima facie showing of obviousness because not all of the limitations of claim 8 are disclosed. Agent has amended claim to include the limitation of attaching the explosive charge to the tubular such that the explosive charge is in direct contact with the tubular. This limitation is supported by the specification and is not suggested by the cited references. This rejection is therefore respectfully traversed and withdrawal thereof is respectfully requested.

D. Regarding Claim 13

In Paragraphs 15-17 of the Office Action, Examiner rejects claim 13 under 35 U.S.C. §103 as being unpatentable over Snider in view of Abouav, further in view of Guerreri as applied to claim 8 above, and further in view of Neyer. Based on the argument in section C, independent claim 8 is patentable over the cited references, thus dependent claim 6 is also patentable. This rejection is therefore respectfully traversed and withdrawal thereof is respectfully requested.

Conclusion

Agent has addressed each and every objection and ground for rejection. The amended claims are patentable over the cited art and Agent requests that the application be allowed. In the event the Examiner has any questions or there are any issues with respect to the application, the Examiner is invited to call the undersigned at the telephone number below prior to the issuance of any written action.

Respectfully submitted,

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